

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Posa on 6/4/09.

The application has been amended as follows:

In claim 21, line 6, please delete word "pneumatic".

In claim 21, line 6, please add after so that the ----inner surface of the -----.

2. The following is an examiner's statement of reasons for allowance:
Claims 3, 5-9, 19 and 21-22 are allowed.

The following is an examiner's statement of reasons for allowance:

The subject matter of the independent claims could either not be found or was not suggested in the prior art of record. The subject matter not found was a port in communication with the space between the inner surface of the band and the skin of the wearer, the port facilitating evacuation of the space so that the inner surface of the band make intimate, slip-free contact with the skin, in combination with the other elements (or steps) of the apparatus and method recited in the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TARLA R. PATEL whose telephone number is (571)272-3143. The examiner can normally be reached on M-T 6-3.30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patricia Bianco can be reached on 571-272-4940. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tarla R Patel/
Examiner, Art Unit 3772

Search Notes (continued)

Application/Control No.

10/791,948

Examiner

TARLA R. PATEL

Applicant(s)/Patent under
Reexamination

TARANOW, WARREN S.

Art Unit

3772

SEARCHED

Class	Subclass	Date	Examiner

INTERFERENCE SEARCHED

Class	Subclass	Date	Examiner
Please	see	6/2/2009	TP
print	out		

**SEARCH NOTES
(INCLUDING SEARCH STRATEGY)**

	DATE	EXMR
Consulted SPE Patricia Bianco	6/2/2009	TP
Consulted P.E. Pascua Jes in class 383	6/3/2009	TP
Consulted P.E. Fidei David in class 206	6/3/2009	TP
Consulted P.E. Larson Justin in class 224	6/3/2009	TP